REMARKS

The Examiner has required restriction in the above-identified application as follows:

Group I: Claims 1-6, drawn to an antibody that binds specifically to a polypeptide comprising an ubiquitination-regulating domain of a TSG101 protein;

Group II: Claims 7-12, drawn to a method of producing an antibody that binds specifically to an ubiquitination-regulating domain of a TSG101 protein;

Group III: Claims 13 and 17-21, drawn to a method of treating a condition in a subject comprising administering to a subject a therapeutically effective amount of an agent wherein said agent comprises an ubiquitination-regulating domain;

Group IV: Claims 14 and 22, drawn to a method of treating a proliferative disease in a subject comprising administering to said subject a therapeutically effective amount of an agent, said agent modulating the interaction of said TSG101 protein with MDM2;

Group V: Claims 15, 17-21, drawn to a method of treating a proliferative disease in a subject comprising monitoring the level of p53 and treating the subject with an agent, wherein said agent comprises an ubiquitination-regulating domain;

Group VI: Claim 16, drawn to a method of treating a proliferative disease in a subject comprising monitoring the level of TSG101 and treating the subject with an agent that modulates the interaction of TSG101 with MDM2;

Group VII: Claims 23 and 26-30, drawn to a cell comprising a polynucleotide encoding an ubiquitination-regulating domain operationally linked to a regulatory sequence that said cell expresses said ubiquitination-regulating domain;

Group VIII: Claims 24 and 26-30, drawn to a cell comprising a polynucleotide encoding an ubiquitination-regulating domain operationally linked to a regulatory sequence and a polynucleotide encoding MDM2 protein operationally linked to a regulatory sequence, such that said cell expresses said ubiquitination-regulating domain;

Group IX: Claims 25-30, drawn to a cell comprising a polynucleotide encoding ubiquitination-regulating domain operationally linked to a regulatory sequence and a polynucleotide encoding MDM2 protein operationally linked to a regulatory sequence and a polynucleotide encoding p53 protein operationally linked to a regulatory sequence, such that said cell expresses said ubiquitination-regulating domain;

Group X: Claims 31-36, drawn to a method of identifying an agent that modulates the interaction of a TSG101 protein with MDM2, comprising screening candidate agents using a screening assay comprising a cell expressing MDM2 and a polypeptide comprising an ubiquitination-regulating domain of TSG101 protein;

Group XI: Claim 37, drawn to a method of modulating a level of MDM2 in a cell, comprising contacting said cell with a polypeptide or derivative thereof that comprises a polypeptide comprising an ubiquitination-regulating domain;

Group XII: Claim 38, drawn to a method of modulating a level of p53 in a cell, comprising contacting said cell with a polypeptide or derivative thereof that comprises a polypeptide comprising an ubiquitination-regulating domain;

Group XIII: Claim 39, drawn to a method of modulating a level of TSG101 in a cell, comprising contacting said cell with an agent that is capable of modulating the interaction of TSG101 protein with MDM2;

Group XIV: Claim 40, drawn to a method of modulating a level of MDM2 in a cell, comprising contacting said cell with an agent that is capable of modulating the interaction of TSG101 protein with MDM2;

Group XV: Claim 41, drawn to a method of modulating a level of p53 in a cell, comprising contacting said cell with an agent that is capable of modulating the interaction of TSG101 protein with MDM2; and

Group XVI: Claim 42, drawn to a method of screening for a cellular protein that interacts with an ubiquitination-regulating domain, comprising identifying a cellular protein that binds said ubiquitination-regulating domain.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-6 for further prosecution at this time.

The basis for Applicants' traversal is that there is no undue burden on the Examiner. Section 803 of The Manual of Patent Examining Procedure states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." Applicants respectfully submit that all the claims in the instant application are related to agents and methods for modulating the interaction between TSG101 and MDM2, a subject matter that can be searched in the database without serious burden to the Examiner. Accordingly, Applicants respectively request reconsideration of the requirement for restriction and continued prosecution on the merits of all claims in this application.

However, in the event that the Examiner chooses not to reconsider the restriction requirement, Applicants elect Group I, Claims 1-6, with traverse, for examination on the merits.

Applicants further reserve the right to file one or more divisional applications to the non-elected subject matter, if they so wish.

Claims 17-21, 26-30, and 33-36 have been canceled, and new Claims 43-45 have been added by this amendment. The new claims are supported by the specification at page 18, line 25, to page 19, line 5 (pharmaceutical composition, Claim 43), and at page 2, lines 11-16 (treatment of ubiquitination-related diseases, Claims 44-45). No new matter has been introduced by the amendment.

Applicants submit that the application is now in condition for examination on the merits. Early notification of such action is earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact Michael Ye at the telephone number listed below.

Respectfully submitted,

PIPER RUDNICK LLP

REG. NO. 47,258
FOR

Steven B. Kelber
Registration No. 30,073
Attorney of Record

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Michael Ye
Registration No. 47,195